

BEFORE THE Canterbury Regional Council

IN THE MATTER OF The Resource Management Act
1991 and the Environment
Canterbury (Temporary
Commissioners and Improved
Water Management) Act 2010

AND

IN THE MATTER OF Submission and Further Submission
on Proposed Canterbury Regional
Air Plan

STATEMENT OF ELLESMERE FARMERS GROUP¹

16 November 2015

Contact: Mrs Carey Barnett

Contact Details: Tel 03 3243429 Lakeside, R D 3, Leeston 7683

¹ Referred to as 'the Barnett Group' by Environment Canterbury.

1. INTRODUCTION

- 1.1 This statement is provided in support of submissions and further submissions lodged on Proposed Canterbury Regional Air Plan (hereafter referred to as 'the Plan') by a group of Ellesmere farmers (hereafter referred to as 'the submitters') as listed in **Annexure A** attached.
- 1.2 Some of the submitters will be available to answer questions during the time allocation period at the hearing and provide some supporting information relating to this statement. The statement has been set out in a way that indicates to the Hearing Commissioners what the submitters' concerns are in relation to the various parts of the Plan via the submissions and their opinion on the recommendations made in the Section 42A Officer's Report.
- 1.3 The submitters also support the evidence of Mr Nick Pyke (Foundation for Arable Research) and Dr. Lionel Hume (Combined Canterbury Provinces of Federated Farmers of New Zealand).

2. BACKGROUND OF THE SUBMITTERS

- 2.1 The submitters are farmers located between the Rakaia and Selwyn Rivers and east of State Highway 1 to the east coast. It encompasses the rural areas known as Irwell, Doyleston, Leeston, Lakeside, Sedgemere, Southbridge, Killinchy and Little Rakaia, which are commonly referred to collectively as 'Ellesmere'. **Annexure B** attached shows the location of this area. These submitters are also members of Ellesmere Sustainable Agriculture Incorporated (formerly known as the 'Ellesmere Irrigation Society Incorporated'.)
- 2.2 The submitters are predominantly 'family farmers'. Family farmers are farmers who have owned and managed the same property for several generations and have a natural affinity to the land, its use and its protection. Traditionally these types of farmers have engaged in long-term farming practices that utilise environmentally sustainable farming systems. They perceive farming as a long-term plan to retain their heritage and livelihood so that it can be progressed through future generations. A key characteristic of the family farmer is operating in an efficient and caring manner with strong environmental ethics and stewardship. Family farms are predominantly financed through production from the farm itself and are not subject to many off-farm shareholders or corporate investment. Therefore finance and production is very carefully managed. Inefficient use of all resources is considered costly to these types of farmers and therefore used appropriately under stringent management and application systems.
- 2.3 Historically, the family farmer cares greatly for their farm, its produce, livestock and surrounding environs. They have high level expertise and acquired local knowledge which is often vastly comprehensive. The farm is seen as not only an asset to the owner but also to the community and its immediate physical and social environment; all of which it aims to protect and maintain to its highest quality.

Other Roles of the Submitters

2.4 A number of the submitters in this group also hold relevant positions to farming, the community and achieving sustainable environmental outcomes:

Mr Simon Osborne Chairman of Ellesmere Sustainable Agriculture Inc, member of the Leeston Drainage Committee and arable farmer at Leeston;

Mr David Birkett Chairman of the Board of Directors of the Foundation for Arable Research (FAR), Vice Chairman of the Herbage Seed Section of Federated Farmers NZ, Member of the Seed Quality Management Authority Board, Treasurer of Ellesmere Sustainable Agriculture Inc, and arable farmer at Leeston;

Mrs Carey Barnett Secretary of Ellesmere Sustainable Agriculture Inc, previously had professional experience as: an Environmental Planner for the Selwyn District Council (4 years – Team Leader Consents); and Senior Planner and Principal of environmental consulting firm Boffa Miskell Limited (9 years), currently member of the Harts Creek Restoration Committee, part of arable farming partnership at Lakeside;

Mr Pat McEvedy Selwyn District Councillor and member of the Selwyn-Waihora Zone Committee, former Chairperson of the Selwyn-Waihora Zone Committee.

Overriding Concerns

2.5 The submitters have a significant interest in the management of the social, economic and physical environment at the local, regional and national level. In this regard they have been an active entity in recent years being involved in many different focus groups, consultation and submitting on the numerous documents that aim to regulate and deal with the issues of water, soil and air management.

2.6 The over-riding critical issue for the submitters is ensuring that the Plan provides a robust, practical and appropriate framework in which to not only protect all facets of the environment – including social, economic, cultural and physical, but at the same time actually work in practice.

2.7 The production in the Canterbury region contributes substantially to New Zealand's overall production, and as a consequence the economic viability of the country as a whole. The Ellesmere area includes a variety of agricultural land uses such as arable (wheat, barley, ryegrass, clover, small seed such as radish, carrot, kale), vegetables for market, blackcurrant and berry crops, sheep, beef and dairy. All of these uses require good management practice in order to achieve desirable outcomes for not only the farmer but the other environmental aspects. These must be recognised and provided for in the Plan.

2.8 What has been evident in the past, and another key concern of the submitters, is the large disparity between how farming activities operate on the ground and the application of the rules that regulate any significantly adverse environmental effects. In other words, the implementation of regulations that do not 'marry up' easily with what actually happens in the physical and farming environment. The rules tend to regulate in a way that makes it difficult to operate and implement 'on the ground'. The matters raised in the submissions recognise where these issues are apparent in the Plan.

3. COMMENTS ON SECTION 42A OFFICER REPORT

3.1 The following part of the document makes specific reference to the matters addressed and recommendations made in the Section 42A Officer Report. The submission points of the submitters are also shown in the table below in order illustrate the intention of the submitters.

SUBMISSIONS AND COMMENTS ON SECTION 42A OFFICER RECOMMENDATIONS – THE PROPOSED CANTERBURY AIR REGIONAL PLAN

The following table shows the submissions in respect to specific provisions set out in the Plan. Stated in blue is the recommendation made by the Officer reporting on behalf of Environment Canterbury (hereafter referred to as ‘CRC’) and adjacent a response to that recommendation as stated by the submitters.

Section	Page Number	Specific Policy/Rule/Part of Provisions	Support/Oppose	Decision Requested	Reason	Section 42A Officer Recommendation	Submitters’ Further Comments
Section 6 - Policies							
Outdoor Burning	6-2	Policy 6.15	Oppose	Amend policy 6.15 to read: “Provide for the outdoor burning of organic material, in rural areas, where undertaken in accordance with a Farm Environment Plan or Schedule 3.” And make any consequential amendments.	The provisions of Schedule 3 are excessive and onerous for both those needing to undertake a burn-off and those having to regulate it. As an example, it is unlikely that the NZ Fire Service would be amenable at the local level of being contacted every time someone was thinking of having a burn off or then having to receive calls of any changes to that burn-off time or operation. This would be frustrating and a misuse of the volunteer fire service. Also, given that the Proposed Canterbury Land and Water Regional Plan is to require the implementation of Farm Environment Plans, it makes sense from a farming perspective and a regulatory one to have burn-off management contained in these documents rather than have to enforce an individual burn-off plan every time one is undertaken. This would be a much more efficient and effective way to deal with this issue by both the farming community and regulating authorities.	No change to wording of policy 6.15 recommended on the basis that the requirement of a Smoke Management Plan does not prevent them being included in a Farm Environment Plan.	The submitters oppose the current wording of Schedule 3 in that it contains many impracticalities and the need to prepare a SMP for each individual burn. This is not efficient or sustainable and conflicts with approaches taken in other regulatory plans which provides a framework for farmers to work within without the unnecessary requirements to record on a daily burn basis. By having more practically applicable provisions as suggested in the submitters submissions on Schedule 3 the intention of the SMP’s would still be maintained but able to be put in practice more appropriately and at the same time show compliance. This would also be in line with the Federated Farmers Code of Practice for burn offs which is also supported by the submitters and the Foundation for Arable Research.
Outdoor Burning	6.16	Policy 6.16	Oppose	Amend policy 6.16 to read: “ Minimise Avoid the outdoor burning of non-organic material in rural areas” And make any consequential amendments.	In many rural areas there are no recycling or rubbish collection facilities or operations available and the only realistic option for disposing of non-organic material is to burn it. For the most part those in rural areas responsibly dispose of non-organic matter but on the occasion there are no possible alternatives that have a reduced effect on the environment.	Change to wording of policy 6.16 recommended to provide for firefighting research and training, and munitions, ammunition and pyrotechnic disposal by the New Zealand Defence Force.	The submitters retain their original stance with respect to the wording of this policy. Without recycling or rubbish collections available in many rural areas, nor refuse stations then there is no other option but to burn some organic matter – e.g. papers and boxes. Also, it is noted that the NZ Fire Service also needs to be able to burn non-organic matter for firefighting training but the wording proposed in the recommendation could be confused to only apply to the NZ Defence Force operations given the grammatical application used.
Section 7 - Rules							
All Activities Rule 7.3	7-1	Rule 7.3	Oppose	Delete or amend to reflect the concerns raised in the reasons for submission here. Change status of activity from ‘non-complying’ to	This rule is subjective in that it requires someone’s consideration of the situation as to whether it is objectionable or offensive. This consideration varies distinctly between those who are making the objection, those that are assessing it, and those that may have caused it. To apply a ‘non-complying’ status here is	No change to wording of rule on basis that there are many objectionable or offensive effects that need to be stringently managed through a non-complying status.	The submitters retain their original submission stance on the wording of this rule, given that the terms ‘objectionable or offensive’ differ significantly between those making such judgement and does not give consideration to the duration of any event. For example small scale intermittent events

Section	Page Number	Specific Policy/Rule/Part of Provisions	Support/Oppose	Decision Requested	Reason	Section 42A Officer Recommendation	Submitters' Further Comments
				'discretionary'. And make any consequential amendments.	excessive given the highly subjective nature of the wording of the rule. If deletion of the rule is not acceptable then a lower status of 'discretionary' should be more appropriately applied.		that are short in duration .e.g. emergency burning of non-organic matter as a result of a natural disaster.
Outdoor Burning In Rural Areas	7-2	Rule 7.8	Oppose	Amend Rule 7.8.2 as follows: "2. The person responsible for the discharge holds a smoke management plan prepared in accordance with Schedule 3, or smoke management is detailed in the Farm Environment Plan relevant to the site of the smoke emission; and" Amend Rule 7.8.3 as follows: "3. The discharge is managed in accordance with the smoke management plan or Farm Environment Plan; and" Amend Rule 7.8.4 as follows: "4. The smoke management plan or Farm Environment Plan is supplied to the CRC on request."	The provisions of Schedule 3 are excessive and onerous for both those needing to undertake a burn-off and those having to regulate it. As an example, it is unlikely that the NZ Fire Service would be amenable at the local level of being contacted every time someone was thinking of having a burn off or then having to receive calls of any changes to that burn-off time or operation. This would be frustrating and a misuse of the volunteer fire service. Also, given that the Proposed Canterbury Land and Water Regional Plan is to require the implementation of Farm Environment Plans, it makes sense from a farming perspective and a regulatory one to have burn-off management contained in these documents rather than have to enforce an individual burn-off plan every time one occurs. This would be a much more efficient and effective way to deal with this issue by both the farming community and regulating authorities.	Section 42A Officer recommends the removal of condition 1 of this rule.	The submitters support the removal of condition 1 but still seeks the further amendments sought in the submissions. The submitters desires a more practical way of dealing with smoke management by including set parameters in the Farm Environment Plan rather than having to record every individual burn event. The suggested changes by the submitters are in line with how Farm Environment Plans work in practice and also WorkSafe Plans. More information is given in respect to the requirements of Schedule 3 in Section 4 of this statement.
		Rule 7.9	Oppose in part.	And make any consequential amendments. Amend wording of this rule so that it reflects wording changes made in the above suggested amendments on rule 7.8.	Amend so that the wording of this rule is consistent with amendments made to rule 7.8.	Section 42A Officer recommends minor change to clarify the reference to Crop Residue Burning Buffer Area Maps.	The submitters support Federated Farmers in that Crop Residue Burning Buffer Areas are an inappropriate tool for regulating such burn offs.
		Rule 7.10	Oppose in part.	And make any consequential amendments. Delete point 9. of the rule and make any consequential amendments.	Point 9 of the rule is subjective in that it requires someone's consideration of the situation as to whether it is objectionable or offensive. This consideration may vary distinctly between those who are making the objection, those that are assessing it, and those that may have caused it. If the steps outlined in points 1 to 8 of the rule are adhered to then point 9 becomes redundant because they should not therefore be objectionable or offensive. If	Section 42A Officer recommends the removal of condition 9 of this rule and the addition of burning up to 10l of petroleum based accelerant.	The submitters support this recommendation for the reasons stated in its original submission.

Section	Page Number	Specific Policy/Rule/Part of Provisions	Support/Oppose	Decision Requested	Reason	Section 42A Officer Recommendation	Submitters' Further Comments
					points 1 to 8 are not met then the activity is no longer permitted and therefore subject to resource consent requirements that would result in appropriate conditions of consent being applied or non-approval of the activity.		
Rural Discharges to Air	7-22	Rule 7.70	Oppose in part.	Delete point 4. of the rule and make any consequential amendments.	Point 4 of the rule is subjective in that it requires someone's consideration of the situation as to whether it is objectionable or offensive. This consideration may vary distinctly between those who are making the objection, those that are assessing it, and those that may have caused it. If the steps outlined in points 1 to 3 of the rule are adhered to then point 4 becomes redundant because they should not therefore be objectionable or offensive. If points 1 to 3 are not met then the activity is no longer permitted and therefore subject to resource consent requirements that would result in appropriate conditions of consent being applied or non-approval of the activity.	Section 42A Officer recommends deletion of point 4 of this rule.	The submitters support the Section 42A Officer recommendation for the reasons stated in the original submission.
Schedules							
Schedule 2: Assessment of offensive and objectionable effects Criteria for assessing offensive or objectionable dispersal or deposition of smoke particles	8-6	First 5 points of this section.	Oppose in part	Add in additional point 6: "6. The type of smoke event and the necessity for it to occur." And any consequential amendments.	It is appropriate to consider also the type of smoke event and the necessity for that event. For example a crop residue burn off may be required as part of normal farming practice and has benefits to the environment. Some consideration must be given to beneficial aspects of some smoke activities e.g. assisting with crop rotations that help to ensure nutrient minimisation and effects on water quality.	No changes proposed to insert this additional point by the Section 42A Officer.	The submitters retain their position in respect to this submission point.
	8-6	Point 3.(a) Outdoor Burning (i)	Oppose in part	Delete words: 'the Guide to Minimise Smoke Emissions from Outdoor Burning, in Schedule 3' And replace with: (i) "Minimising smoke emission effects as provided in Schedule 3 or any relevant provisions contained within a Farm Environment Plan for the subject property." And make any consequential	This point makes reference to 'the Guide to Minimise Smoke Emissions from Outdoor Burning, in Schedule 3' which is not specifically labelled as such a guide in that Schedule (3). The provision needs to use the correct terms referenced in Schedule 3 and also relate to any Farm Environment Plan that might be relevant to a property.	Section 42A Officer recommends changes to Point 3(a)(i) by removing the reference to 'the Guide to Minimise Smoke Emissions from Outdoor Burning, in Schedule 3'.	The submitters prefer the wording of its submission in that it provides more flexibility as to which documents are being used to assess the situation and allows farmers to have a year round smoke management plan as opposed to a daily one. The submitters partially support the Section 42A Officer recommendation to remove the reference to 'the Guide to Minimise Smoke Emissions from Outdoor Burning, in Schedule 3'.

Section	Page Number	Specific Policy/Rule/Part of Provisions	Support/Oppose	Decision Requested	Reason	Section 42A Officer Recommendation	Submitters' Further Comments
	8-18	All wording on this page.	Support	amendments. Retain existing wording.	This is an appropriate way to manage and demonstrate good farming practice in relation to odour, dust and smoke; within a Farm Environment Plan.	Section 42A Officer recommends retaining current wording of this section of Schedule 2.	The submitters support this section of Schedule 2 and the recommendation of the Section 42A Officer here.
Schedule 3: Content of smoke management plans for the outdoor burning of organic material in rural areas	8-19	Entire Schedule 3	Oppose	<p>Amend title of Schedule 3 as follows:</p> <p>“Schedule 3: Content of smoke management plans or Farm Environment Plans relating for to the outdoor burning of organic material in rural areas”</p> <p>Insert new heading immediately under the above stated Schedule 3 main heading:</p> <p>“Information for Smoke Management Plans where the property does not have a Farm Environment Plan”</p> <p>Insert the following wording as a new section in Schedule 3:</p> <p>“Information for Farm Environment Plans relating to Smoke Management</p> <p><u>The Farm Environment Plan shall contain information and management strategies to minimise any potential adverse effects of outdoor burning of organic material as required by rules 7.8 and 7.10. The Farm Environment Plan shall contain the following information:</u></p> <ol style="list-style-type: none"> 1. <u>A list of months in which burning might take place;</u> 2. <u>A list of the type of material that might be burnt;</u> 3. <u>A wind speed range</u> 	Farm Environment Plans (FEP) will be required under the provisions of the Canterbury Land and Water Plan. Therefore it makes sense to include any management of smoke to also be contained within those documents instead of having to have a daily burn management plan as suggested in the proposed Schedule 3 provisions. As long as there are safe and appropriate management techniques provided in the FEP then there should be no need to have smoke management plans of the type specified in Schedule 3.	Section 42A Officer recommends one wording change in point 3 of the schedule and minor amendments.	The submitters still support the suggested wording in its submission. The reasons for this are set out in Section 4 of this statement.

Section	Page Number	Specific Policy/Rule/Part of Provisions	Support/Oppose	Decision Requested	Reason	Section 42A Officer Recommendation	Submitters' Further Comments
				<p><u>within which burning would take place and restricted to. Ideally wind speed would be between 1 and 15km per hour.</u></p> <p>4. <u>A statement as to the preferred state of the material to be burned. For example: it is green or seasoned; wet or dry, size/area to be burned.</u></p> <p>5. <u>Identification of potentially affected parties and sensitive activities – including neighbours living close enough to be affected, Transit New Zealand if the burn is close to a State Highway, New Zealand Fire Service if it is likely the public will call to raise concerns about a fire.</u></p> <p>6. <u>List of methods to be used to minimise impacts on people that may be affected by the burning – for example:</u></p> <ul style="list-style-type: none"> a. <u>Choosing a day to burn when neighbours are away or not likely to be affected;</u> b. <u>Burning when wind is blowing away from effected people or sensitive activities;</u> c. <u>Locating the fire in a remote area, or at a suitable distance from sensitive activities;</u> d. <u>Having machinery available to keep the fire burning until completion, or extinguish if necessary;</u> e. <u>Preparing the</u> 			

Section	Page Number	Specific Policy/Rule/Part of Provisions	Support/Oppose	Decision Requested	Reason	Section 42A Officer Recommendation	Submitters' Further Comments
				<p><u>material so that it will burn fast and hot and not slowly smoulder;</u></p> <p>f. <u>Notify any neighbours that might be affected that you are going to burn;</u></p> <p>g. <u>Having traffic management in place if the burn cause reduced visibility on roads; and</u></p> <p>h. <u>Avoiding burning in cool and calm conditions when smoke is more difficult to disperse."</u></p> <p>And make any consequential amendments.</p>			
Section 11 – Crop Residue Burning Buffer Area Map Series and associated objectives, policies, rules and Schedules.	Various	All Section 11 – Crop Residue Burning Buffer Area Map Series and the associated objectives, policies, rules and Schedules.	Oppose	Delete these provisions.	Do not support the arbitrary regulation of crop residue burning in the vicinity of towns.	Section 42A Officer recommends retaining current provisions.	The submitters support the Federated Farmers position in relation to these provisions.

4. CONCERNS REGARDING SCHEDULE 3 – SMOKE MANAGEMENT PLANS

INTRODUCTION

4.1 As a result of the Commissioners' Decision on Variation 1 to the Proposed Canterbury Land and Water Regional Plan, farmers in the Selwyn – Waihora catchment will be required to form and abide by Farm Environment Plans (FEP) that will relate specifically to each individual farming entity. FEP's will contain information regarding farm environmental risks, indicate the level of nutrients being put out by each entity; and show a variety of mitigating activities used to minimise any potentially harmful environmental outcomes. Ellesmere Sustainable Agriculture Incorporated² members (formerly 'The Ellesmere Irrigation Society Inc.') worked considerably with Environment Canterbury, Foundation for Arable Research (FAR), Federated Farmers, Dairy New Zealand, Central Plains Water, Irrigation New Zealand, Ngai Tahu and a variety of other interest groups in developing a suitable framework on which to build FEPs. The submitters are all ESAI members.

FARM ENVIRONMENT PLANS

4.2 FEP's provide a record and basis from which to show the management of environmental risks for regulatory purposes. A number of entities have developed FEP templates for farmers to use and develop for their own specific farming system. FAR is just one of the farming industry groups to have had a FEP approved by ECan.

4.3 Essentially, FEP templates have been designed to be simple to use but at the same time allow for the necessary recording to be done and then audited as required. While they provide a need to be adjusted and progressed as the farming systems change, they do not require day-to-day recording. For example, showing where a surface water runoff risk might occur and how the farmer will minimise the risk through good management practice such as retaining vegetation in this location, planting species that might minimise runoff, excluding stock from this area. This is a typical and workable method within an FEP. There is no requirement for such activities to be recorded on a day-to-day basis, but rather statements in the FEP are made about how the treatment is to be applied and what on-going best practices will be used. This is a practical, achievable and efficient way of dealing with any relevant environmental farm risk.

SMOKE MANAGEMENT PLANS

4.4 Rule 7.8 requires crop residue burn offs to be subject to Smoke Management Plans outside of a Crop Residue Burning Buffer Zone. The proposed rules intend for burn offs located within the Buffer zone to be regulated by way of a resource consent. Consent will be required before such activities take place on the outskirts of some larger towns in the region. Where a burn off is located outside of these buffer zones it will be a permitted activity provided the burn off is undertaken in accordance with a smoke management plan which is to be developed in compliance with Schedule 3 of the Plan.

² Ellesmere Sustainable Agriculture Incorporated is a group of approximately 120 farmers who came together initially as a 'water user group' but has since broadened its scope to provide a consolidated voice for farmers in the Ellesmere area in dealing with environmental issues and regulatory matters.

- 4.5 As stated above, the submitters have made a submission to alter the provisions of Schedule 3 so as to allow for the more efficient, practical and appropriate management of smoke in the rural area within an FEP format and in a way that is consistent with how they work currently. The changes proposed are:

The insertion of the following words to allow for Smoke Management within Farm Environment Plans:

“Information for Farm Environment Plans relating to Smoke Management

The Farm Environment Plan shall contain information and management strategies to minimise any potential adverse effects of outdoor burning of organic material as required by rules 7.8 and 7.10. The Farm Environment Plan shall contain the following information:

- 1. A list of months in which burning might take place;**
- 2. A list of the type of material that might be burnt;**
- 3. A wind speed range within which burning would take place and restricted to. Ideally wind speed would be between 1 and 15km per hour.**
- 4. A statement as to the preferred state of the material to be burned. For example: it is green or seasoned; wet or dry, size/area to be burned.**
- 5. Identification of potentially affected parties and sensitive activities – including neighbours living close enough to be affected, Transit New Zealand if the burn is close to a State Highway, New Zealand Fire Service if it is likely the public will call to raise concerns about a fire.**
- 6. List of methods to be used to minimise impacts on people that may be affected by the burning – for example:**
 - a. Choosing a day to burn when neighbours are away or not likely to be affected;**
 - b. Burning when wind is blowing away from effected people or sensitive activities;**
 - c. Locating the fire in a remote area, or at a suitable distance from sensitive activities;**
 - d. Having machinery available to keep the fire burning until completion, or extinguish if necessary;**
 - e. Preparing the material so that it will burn fast and hot and not slowly smoulder;**
 - f. Notify any neighbours that might be affected that you are going to burn;**
 - g. Having traffic management in place if the burn cause reduced visibility on roads; and**
 - h. Avoiding burning in cool and calm conditions when smoke is more difficult to disperse.”**

- 4.6 The proposed wording above would negate the need for all farmers to record every single burn off that they have, and would promote practical management of the activity over the short period of time in which it occurs. The above wording is directly consistent with wording that would ordinarily appear in a FEP. An example of how this would work in practice is provided below. The Proposed new wording for the schedule is shown in black and how it might be dealt with in a farm environment plan is provided in blue beneath each relevant segment:

- 1. A list of months in which burning might take place;**
Burning of crop residue shall occur between 1 February and 1 May each year.

2. **A list of the type of material that might be burnt;**
Standing or cut crop of wheat and barley.
3. **A wind speed range within which burning would take place and restricted to. Ideally wind speed would be between 1 and 15km per hour.**
Burn offs will be undertaken within a wind speed range of 1 to 15km p hr.
4. **A statement as to the preferred state of the material to be burned. For example: it is green or seasoned; wet or dry, size/area to be burned.**

A maximum area of 25 ha will be burnt off and will be in a dry state. (it's not possible to burn green or wet crop residue that would be suitable for crop replanting activities)

5. **Identification of potentially affected parties and sensitive activities – including neighbours living close enough to be affected, Transit New Zealand if the burn is close to a State Highway, New Zealand Fire Service if it is likely the public will call to raise concerns about a fire.**

The following parties may be affected by a burn off:

e.g. C Croft
M Johnston
P Dudley
L Lochhead

No need to advise Southbridge Volunteer Fire Brigade as the neighbours are unlikely to call them due to our consultation with them and given that Volunteer Brigade is only interested in fires where a call out has been made. *The Brigade is well aware of part of the year when and location where burn offs will occur and has indicated that calls advising of burn offs may in fact be detrimental to station operations.*

6. **List of methods to be used to minimise impacts on people that may be affected by the burning – for example:**
 - a. **Choosing a day to burn when neighbours are away or not likely to be affected;**
Burn offs will be aimed to be undertaken on normal work day during work hours when non-farming neighbours are away. When burn offs will occur outside normal working hours neighbours will be informed directly.
 - b. **Burning when wind is blowing away from effected people or sensitive activities;**
There are no sensitive activities located near our farm. Where a burn off might be located near a dwelling on a neighbouring property then burn offs will be undertaken on days when wind is blowing away from that dwelling or as agreed with neighbour.
 - c. **Locating the fire in a remote area, or at a suitable distance from sensitive activities;**
Burning of hedge clippings or other organic matter will be located as far as practical from adjoining property dwellings or sensitive activity.
 - d. **Having machinery available to keep the fire burning until completion, or extinguish if necessary;**
A tractor and water tank will be present at all burn off activities. A 5 to 10 metre break (width depending on which local authority/district council area the farm is in and what their

specific bylaws require) will be cultivated around the entire outer edge of the area/paddock to be burnt.

e. Preparing the material so that it will burn fast and hot and not slowly smoulder;

Crop residue is dry and ready for combustion. *This is a normal practice for both environmental and efficient farm production.*

f. Notify any neighbours that might be affected that you are going to burn;

The relevant neighbour/s have been notified of burning period.

g. Having traffic management in place if the burn cause reduced visibility on roads; and

Where smoke may travel across a road at a density where visibility is impaired by more than 50 percent for a distance of road more than 2m in length, then a hazard sign and road cone shall be erected 50m both in front of and behind the location of where the smoke band is crossing the road.

h. Avoiding burning in cool and calm conditions when smoke is more difficult to disperse.”

All burn offs will be undertaken in 1 to 15 km/hr wind conditions to ensure short duration of smoke effects.

4.7 As shown above, the information provided under this revised schedule will provide a significant level of assurance to the community and the regional authority that burn offs will be undertaken in a safe, efficient and minimal risk environment without the need to implement recording of every single burn off. As long as farmers are complying with the statements made in their FEP contained in the smoke management section then they would be meeting the requirements for safe smoke management.

4.8 It is considered less practical to require a smoke management plan as proposed in Schedule 3 for each and every burn off for the following reasons:

- a. Crop burn offs in practice happen on-farm within a confined set of parameters each time they occur. This is because it is not only conducive to good environmental practice but also conducive to best farm management practice and of efficiency and maximisation of production. Essentially, it is beneficial to the farm operation to burn off in a quick and managed manner as this reduces not only liability risks to farm insurers and farmers themselves but also makes efficient use of farm resources such as time and energy. A farmer wants to burn off quickly and efficiently so that there is more time to undertake other activities;
- b. Burn offs need to be undertaken in conditions where there is at least some wind present in order to ensure the burn moves across a paddock efficiently and does not miss areas of residue. So as long as the appropriate wind speed within a range is present then there is no need to assess each individual wind speed and record it;
- c. The latest Health and Safety laws already require human safety checks are in place and do not need to be replicated in an FEP.

- d. Management within an approved FEP will also reduce the need for consistent monitoring by ECan staff and also allow the farmer to have this aspect included in auditing of their FEP which is required under the provisions of the Land and Water Plan and relevant sub-regional plans. This makes it now not only efficient for the farmer but also for the regulating authority.

Ellesmere Farmers

16 November 2015

ANNEXURE A: LIST OF SUBMITTERS AND CONTACT DETAILS

Name of Submitter	Address	Contact	Wishes to be heard
Alastair and Carey Barnett	Lakeside, R D 3, Leeston 7683	3243429	Yes
Simon Osborne	Winfield, Beethams Road, R D 3, Leeston 7683	3243344	Yes
D P Birkett	Greenmeadows, Prossers and Pooles Roads, Killinchy, R D 2, Leeston 7682	3244499	Yes
G D and R A Heslop	1065 Selwyn Lake Road, R D 2, Leeston 7682	3291740	No
C Croft	Lakeside, R D 3, Leeston 7683	3242320	No
Carter Cropping Ltd, c/- D and A Carter	149 Harts Road, Lakeside, R D 3, Leeston 7683	3243206	No
A S McPherson	Southbridge Sedgemere Road, R D 3, Leeston 7683	3242791	No
Waipuna Enterprises Ltd c/o S Stephens	285 Lake Rd South Irwell, R D 3, Leeston 7683	3291770	No
R Heslop	Dalkeith, 361 Jollies Road, RD 3, Leeston 7683	3242880	Yes
J K and L H Lay	1041 Leeston Road, Irwell R D 3, Leeston 7683	3291617	No
Helston Partnership c/- F Gilbert	67 Alexanders Road, RD3, Leeston 7683	3242639	No
L and V McMillan	Altonbrook, R D 3, Leeston 7683.	3242530	No
C and M McEvedy	Wedderburn, 563 Jollies Road, R D 3, Leeston 7683	3242632	No
M Amyes	269 Leeston Lake Rd, R D 3, Leeston 7683	3243475	No
I and J Baxter	Blackwater Farm, 74 Mcevedy's Rd R D 3, Leeston 7683	3242735	No
D P McEvedy	Phoenix Park St John Street, Southbridge	3242572	No

ANNEXURE B: Ellesmere Sustainable Agriculture Inc. area

